

Notice of Allowability

Application No.

10/658,302

Examiner

Justin M. Larson

Applicant(s)

SHELMON ET AL.

Art Unit

3782

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview held on 10/15/07, see attached interview summary.
2. ☒ The allowed claim(s) is/are 1 and 11-13.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 10/15/07.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. These changes are being made to Applicant's most recently entered amendment, filed 4/19/07, before the Final Action mailed 7/16/07. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gilbert R. Gabo on 10/15/07.

2. The application has been amended as follows:

3. Claim 1 has been deleted in its entirety and has been replaced with – A collapsible container holder assembly for carrying a container in a vehicle, said container holder comprising: a carrier portion having at least one recessed opening extending between a top end and an opposite bottom end of said carrier portion; at least one container receptor portion having a generally horizontal and planar support surface integral with and forming a closed bottom end of the container receptor portion for supporting a bottom end of the container, said container receptor portion being adjustable relative to said carrier portion between a collapsed position disposed within said recessed portion and an extended position protruding axially and downwardly relative to said bottom end of said carrier portion, wherein said container receptor portion comprises at least one retaining arm disposed on an exterior surface thereof, said at least one retaining arm hookingly engaging a peripheral edge of the carrier

Art Unit: 3782

portion to prevent said at least one container receptor portion from being pushed out from said carrier portion when said at least one container receptor portion is moved to said collapsed position; and a locking mechanism for locking said at least one container receptor portion in said extended position, said locking mechanism being locked by rotating said at least one container receptor portion in a first direction while extended and unlocked by rotating the at least one container receptor portion in an opposite second direction, said locking mechanism comprising: an arm protruding from an exterior surface of said container receptor portion toward said carrier portion, said arm being spaced apart from and generally parallel with a radially outwardly extending rim of said container receptor portion; and a flange protruding from an interior surface of said carrier portion toward said container receptor portion, said flange being aligned in the axial direction between said arm and said rim when said container receptor portion is in said extended position, said flange being retained between said arm and said rim after said rotation of said at least one container receptor portion in said first direction to lock said at least one container receptor portion in said extended position, said arm having a boss that extends generally axially toward said rim of said container receptor portion, said flange having a recess that is complementary with said boss and receives said boss therein to resist rotation of said at least one container receptor portion relative to said carrier portion. — .

4. Claim 5 has been cancelled.

Art Unit: 3782

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin M. Larson whose telephone number is (571) 272-8649. The examiner can normally be reached on Monday - Thursday, 7am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Newhouse can be reached on (571) 272-4544. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JML
10/15/07


NATHAN J. NEWHOUSE
SUPERVISOR, PATENT EXAMINER